

**Wellfleet Selectboard Meeting
Tuesday, November 27, 2018
Wellfleet Senior Center**

Selectboard Members Present: Chair Janet Reinhart; Kathleen Bacon, Justina Carlson, Helen Miranda Wilson

Regrets: Jerry Houk

Also Present: Town Administrator Dan Hoort

Chair Janet Reinhart called the meeting to order at 6:00 p.m.

ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENT

Members of the Selectboard and the public gave a variety of announcements:

- Kathleen Bacon commended the Chamber of Commerce for Small Business Saturday.
- Dan Hoort said the Town had met with Cumberland Farms about the water main installation expected in Spring 2019 and construction in Fall 2019. A fire hydrant is included in the plans. Police Chief Ronald Fisette asked the Board to keep apprised of Cumberland Farms' future hours.
- An increase in Cape-wide vehicle break ins prompted the Police Chief to remind residents to keep vehicles locked.
- Chief Fisette said that the Cape Cod Disaster Animal Response Team pet food collection will continue to January 15, 2019, and the annual Toys for Tots drive is underway, including the December 8th "Stuff a Cruiser" day at Dunkin Donuts.
- David Mead Fox gave an update on Outer Cape Energize solar installations. Their Steering Committee will be planning future projects, he said.

PUBLIC HEARINGS

Shellfish Grant Transfer

The Board heard about the transfer of shellfish grant #754 from Joel Fox, Anne Fox and R. Andrew Cummings to R. Andrew Cummings. Joel Fox gave thanks for his shellfishing experience in Wellfleet. Shellfish Constable Nancy Civetta thanked Joel Fox for his contributions to shellfishing. Helen Miranda Wilson and Justina Carlson added information and thanks for his services. The Selectboard and audience broke into applause.

Helen Miranda Wilson moved to approve the transfer of shellfish grant #754 from Joel Fox, Anne Fox and R. Andrew Cummings to R. Andrew Cummings. Kathleen Bacon seconded, and the motion carried 4-0.

Amendments to Traffic Rules and Orders

Selectboard members reviewed the amendments for the Bank Street and Commercial Street intersection. Kathleen Bacon suggested moving the crosswalk as well as adding a "Yield" sign. Dan Hoort said the DPW Director and Police Chief could make crosswalk adjustments. Chief Fisette said other rules for sidewalks and ADA compliance will have to be observed to do this.

Kathleen Bacon moved to approve to amend Wellfleet's *Traffic Rules and Orders*, Article VI Operation of Vehicle, Section 1., "Obedience to Stop Signs and Yield Signs," Section C by adding "southbound drivers on Bank Street at Commercial Street" to the last paragraph that authorizes the erection and maintenance of "Yield" signs. Helen Miranda Wilson seconded, and the motion carried 4-0.

LICENSES

The Board considered the list of annual liquor licenses up for renewal:

- Bookstore and Restaurant
- The Wagner at Duck Creek
- Marconi Beach Restaurant
- Seaside Liquors
- Wellfleet Marketplace
- Wellfleet Spirits Shoppe
- The Wicked Oyster
- Wellfleet Harbor Actors Theater
- PB Boulangerie Bistro
- Wellfleet Preservation Hall
- JB's Pizza Bar and Grill
- Blackfish Variety
- C. Shore
- Wellfleet Mobil

Kathleen Bacon indicated that she was recusing herself from voting.

Helen Miranda Wilson moved to approve the renewal list of annual liquor licenses for: The Bookstore and Restaurant, The Wagner at Duck Creek; Marconi Beach Restaurant; Seaside Liquors; Wellfleet Marketplace; Wellfleet Spirits Shoppe; The Wicked Oyster; Wellfleet Harbor Actors Theater; PB Boulangerie Bistro; Wellfleet Preservation Hall; JB's Pizza Bar and Grill; Blackfish Variety; C. Shore; and Wellfleet Mobil. Justina Carlson seconded, and the motion carried 3-0.

APPOINTMENT TO LOCAL HOUSING PARTNERSHIP

Susan Spear introduced herself and explained her interest in joining the Local Housing Partnership. She answered questions on her professional background, expectations during her one-year term, and availability for housing seminars.

Kathleen Bacon moved to appoint Susan Spear to serve on the Local Housing Partnership for a one-year term ending June 30, 2019. Justina Carlson seconded, and the motion carried 4-0.

USE OF TOWN PROPERTY

Wellfleet Chamber of Commerce

The Board considered the request to use the green in front of Town Hall on Saturday, December 8, 2018 from 4 to 5:30 p.m. for the annual tree lighting ceremony,

Kathleen Bacon moved to approve the use of Town property on December 8, 2018 from 4 to 5:30 p.m. subject to the conditions, if any, as listed on the application. The fee for the non-profit is waived. Helen Miranda Wilson seconded, and the motion carried 4-0.

Ragnar Events

Police Chief Fisette said Ragnar Events might not pursue their request to use White Crest Beach parking lot on May 11, 2019 from 7:30 a.m. to 5:00 p.m. for their annual relay race because of problems with access from other Cape towns. Chair Reinhart decided to proceed with approval in case they do hold the event.

Kathleen Bacon moved to approve the use of Town property by Ragnar Events at the White Crest Beach parking lot on May 11, 2019 from 7:30 a.m. to 5:00 p.m., subject to the conditions, if any, as listed on the Application for a fee of \$500.00. Justina Carlson seconded, and the motion carried 4-0.

BUSINESS

Discussion of Shellfish Shack

Building Inspector Justin Post and DPW Director Mark Vincent were present to discuss what could be done to make the Shellfish Shack at Mayo Beach usable for the Shellfish Department and the Town. Justin Post went into detail about what had been done to secure the building for safety issues. He said the structural components of the building are in good shape. He said there were options that could be pursued. Mark Vincent said there are limitations on the options according to building code and FEMA regulations. Justin Post reported on the Assessor's value of the building and property. Floodplain regulations would be involved in construction, but Mr. Post said the roof and sides could be repaired. Construction cannot surpass 50% without triggering FEMA review.

Justina Carlson asked about upweller possibilities. Mark Vincent said plumbing would need a complete upgrade. Kathleen Bacon asked about window improvement. Justin Post said the first challenge would be cleaning out the building. Mark Vincent said there was still a need for asbestos testing.

Shellfish Constable Nancy Civetta described how the Shellfish Department currently uses the building. She said they had used it for a work space in summer and could use it for storage in winter if it were cleaned up. Helen Miranda Wilson said that mold needs to be remediated. Ms. Wilson also asked about window improvements, and Mark Vincent said that a use for the building should be decided first. Helen Miranda Wilson asked if gutting the inside and cleaning it, would make the space usable even if it was not for an upweller. Justin Post agreed that the structure could be used as an outdoor workshop if a clean-up was completed. Justina Carlson commented on making use of the footprint of the building and remediating the mold. The Board agreed that Jerry Houk should be present for further decision.

Helen Miranda Wilson moved to ask that Justin Post and the DPW give an assessment of the cost for renovations and present a memo regarding the possible 50% improvements that would not trigger a FEMA review. Kathleen Bacon seconded, and the motion carried 4-0.

Review of Town Fees

Town Administrator Dan Hoort said he had not received any requests from department heads to increase any Town fees, as presented in his memo dated November 2018. He asked if the Selectboard members had any fee requests.

Kathleen Bacon, having surveyed beach fees from other nearby towns, suggested raising:

Visitor 3-day beach stickers from \$55 to \$60;

Visitor 1-week beach stickers from \$90 to \$100;

Visitor 2-week beach stickers from \$170 to \$180, and

Seasonal Visitor beach stickers from \$300 to \$400.

She suggested small increases for Resident/Taxpayer stickers:

Resident / Taxpayer beach stickers from \$25 to \$35;

Combination Beach/Transfer Station stickers for first vehicle from \$50 to \$60;

Combination Beach/Transfer Station stickers for second vehicle from \$35 to \$45;

First vehicle Transfer Station from \$25 to \$35;

Second vehicle Transfer Station from \$10 to \$20;

Third vehicle Transfer Station from \$35 to \$45; and

Third vehicle Combination Beach/Transfer sticker from \$60 to \$75.

Beach sticker fees are decided by Beach Director Suzanne Grout Thomas, but the Selectboard discussed supporting the proposed fee raises. Justina Carlson said she was interested in trying the fee increases. Helen Miranda Wilson said she approves scrutiny of fees each year, but she would rather wait for another season to recommend raises. Kathleen Bacon said she had kept in mind concerns for stability of beaches and trash control when she had calculated the increases in fees. Chair Janet Reinhart said that she would want the Beach Director to consider the changes. Dan Hoort said that some of the changes would require Board of Health approval. From the audience, John and Mark Gauthier, owners of Maurice's Campground, addressed the effect of raising beach sticker fees in view of negative shark publicity. They said they did not want to take advantage of summer visitors or turn them off to vacationing in Wellfleet.

Helen Miranda Wilson moved to send to the Beach Administrator a request to consider the amendments to the beach fees as specified by Kathleen Bacon. Justina Carlson seconded. The motion failed 2-2.

Herring River Restoration Project Counsel Agreement

Two documents for hiring McGregor & Legere as Counsel for the Herring River Restoration project were before the Selectboard. Town Administrator Dan Hoort said he was comfortable with the contract as presented.

Helen Miranda Wilson moved to designate Attorney Gregor McGregor and staff of McGregor & Legere as special municipal employee. Kathleen Bacon seconded, and the motion carried 4-0.

Helen Miranda Wilson moved to approve the contract with McGregor & Legere as legal representatives for the Town of Wellfleet on the Herring River Restoration project and authorize the Selectboard Chair to sign said contract. Justina Carlson seconded, and the motion carried 4-0.

Helen Miranda Wilson mentioned her memo to the Board with a definition of “special municipal employee,” a term used in one of the documents presented for approval.

Landfill Approval

The Selectboard needed to sign the Landfill lease and Power Purchase Agreement. Dan Hoort said he had worked with Town Counsel on the contract for months. Energy Committee Chair Richard Elkin said he was comfortable with the lease, but he said the array area should be indicated on the plan. He said the DPW mowing agreement was acceptable. He explained the fence requirement that requires a height increase to 7 feet.

Kathleen Bacon moved to approve and sign the landfill lease and power purchase with AMERESCO, Inc., as attached. Helen Miranda Wilson seconded, and the motion carried 4-0.

TOWN ADMINISTRATOR’S REPORT

Town Administrator Dan Hoort gave more information on the Economic Vitality Committee, a non-profit group that meets at Preservation Hall on the third Friday of every month. He said he has been meeting with the Harbor Master’s office staff regarding dredging the Harbor, something that has not been approved for this year. He reported on the meeting with Verizon on cell phone reception at the beaches. He said he has been arranging for Open Meeting training. The training meeting will be taped so that new board and committee members will be able to view it. Assistant Town Administrator Joseph Powers reviewed training requirements for volunteer board members. From the audience, Jude Ahern said she had taken a webinar on the Open Meeting Law, offered by the State.

TOPICS FOR FUTURE DISCUSSION

Selectboard members offered topics of concern for discussion at future meetings. Kathleen Bacon suggested creating a policy on use of wood from trees felled on Town property. Dan Hoort will work on this with the DPW and Kathleen Bacon. Ms. Bacon also called for appointing a Dredging Task Force. Helen Miranda Wilson suggested sending a memo to department heads and chairs, informing/reminding them that remote participation is not currently allowed under Open Meeting Law. Secondly, she suggested a change in term limits for the Housing Partnership or other committees that allow only one-year terms. Her third suggestion was for a conversation with the Beach Director to establish a “Carry in, carry out” policy for Town beaches. Kathleen Bacon suggested including the Recycling Committee in that discussion, something they have been asking for years. Dan Hoort discussed placing the Rte. 6/Main St. intersection with a dedicated bike lane as an agenda item for the December 11th meeting.

MINUTES

Helen Miranda Wilson offered amendments to the minutes of November 13, 2018.

Helen Miranda Wilson moved to approve the minutes of November 13, 2018, as amended. Justina Carlson seconded, and the motion carried 4-0.

ADJOURNMENT

Bacon moved to adjourn. Wilson seconded, and the motion carried 4-0.
The meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Mary Rogers,
Secretary

Public Records Material of 11/27/18

1. Application for shellfish grant transfer to R. Andrew Cummings
2. Amendments to the Traffic Rules and Orders
3. List of liquor license renewals of 11/27/18
4. Appointment papers for Susan Spear to the Local Housing Partnership
5. Use of Town Property application for 12/4/18 for Town Hall lawn
6. Use of Town Property application for 5/11/19 by Ragnar Events
7. Current Town fees and percentages by departments
8. Agreement with McGregor & Legere, PC
9. AMERESCO landfill lease and power purchase paperwork
10. Town Administrator's Report of 11/27/18
11. Correspondence and Vacancy Report of 11/27/18